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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Perez-Soler et al. Confirmation No.: 8956  
Serial No.: 10/750,382 Art Unit: 1615  
Filed: December 30, 2003 Examiner: Gollamudi S. Kishore  
For: DELIVERY AND ACTION Attorney Docket No.: 8449-320-999  
THROUGH LIPOSOME  
INCORPORATION OF  
DIAMINOCYCLOHEXANE  
PLATINUM (II) COMPLEXES

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Your Petitioner, **Barry D. Burgdorf** represents that he holds the position of **Vice Chancellor and General Counsel of Board of Regents, The University of Texas System**, the assignee of the entire 100% right, title and interest in and to the above identified application by virtue of an assignment from the inventors of the patent application identified above.

The above-identified application is a continuation of application No. 09/168,799 filed on October 8, 1998, now U.S. Patent 6,696,079 B2, which is a division of application No. 08/764,095, filed on December 6, 1996, now U.S. Patent No. 5,843,475. An assignment from Roman Perez-Soler and Abdul R. Khokhar to the Board of Regents, The University of Texas System was recorded in connection with application No. 08/764,095 in the United States Patent and Trademark Office on April 14, 1997, at Reel 8476, Frame 0847.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application Serial No. 10/750,382 which would extend beyond the expiration date of U.S. Patent No. 6,696,079 B2 which issued on February 24, 2004 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,696,079 B2.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,696,079 B2 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

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Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of **Board of Regents, The University of Texas System**.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 20 day of July, 2005.

**Board of Regents, The University of Texas System**

By: Barry D. Burgdorf  
Name: **Barry D. Burgdorf**  
Position: **Vice Chancellor and General Counsel**